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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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BROWN, RAYSMAN, MILLSTEIN, FELDER & STEINER LLP
900 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER

NAMAZI, MEHDI

ART UNIT	PAPER NUMBER
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2188

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/774,302	Applicant(s) PRAHLAD ET AL.	
	Examiner Mehdi Namazi	Art Unit 2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>7 December 2004</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/15/04; 10/18/04</u> . | 6) <input type="checkbox"/> Other: _____. |

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DETAILED ACTION

1. This office action is in response to applicant's Request for Continued Examination filed September 15, 2004.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 15, 2004 has been entered.

2. After further review of the prior arts (Aoyama et al. and Microsoft Excel 2000), and consulting primary examiners, the examiner decided on maintaining the last rejection dated March 18, 2004.

Claim Objections

3. Claim 12 is objected to because of the following informalities: as per claim 1, line 11, "provides allows" should be change to --allows--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 12, 16, and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 12, 16, and 21, lines 8, 13, and 9 respectively "substantially" is vague and indefinite because:

The term "substantially" in claims 12, 16, and 21 is a relative term which renders the claim indefinite.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12, 16, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyama et al. (U.S. Patent No. 6,301,592), and further in view of Microsoft Excel 2000.

As per claims 12, 16, and 21, Aoyama teaches a method of displaying a previous state of data in an application program (fig. 11, shows the different version of each data objects and the date it was created), the method comprising: storing one or more versions of a data store containing a plurality of data objects created by an application program over time (fig. 11, shows the different version of each data objects and the date it was created, wherein it is

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inherent to be created by an application program); indexing each version of the data store according to a date(fig. 6); and displaying, in the application program, a view of an indication of a data object contained in a first version of the data store whose date corresponds to a user specified date (fig. 11 shows the indication of for example first version of chapter 1 and specifies the date, and the application program is inherent).

As per claims 12, 16, and 21, Aoyama teaches the claimed invention, but fails to teach wherein the view of the indication in the application program is substantially similar to the view of the indication in the application program at the date of the first version of the data store; and wherein the indication provides allows a user to retrieve at least a portion of the data object.

Microsoft teaches using Microsoft Excel 2000 files with earlier version of Excel, wherein you can change the default file format that Excel 2000 uses when saving workbook (page 1, paragraph 1).

Therefore, it would have been obvious to one of ordinary skilled in the art to modify the work of Aoyama because Microsoft Excel 2000 teaches using earlier version of Excel with requested data when they were saved in order to create the same window as it was used at the time for faster process.

As per claim 20, Aoyama teaches a plurality of computing devices communicatively coupled to the processor and the plurality of storage media (fig. 19); a retrieval module for retrieving indication of data objects from the plurality of storage media (fig. 19, element 105, col. 1, lines 51-55, which works as retrieval module); a storage and backup map that maps to the plurality of

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computing devices (fig. 19, element 103b)); and a data index stored on at least one of the plurality of computing devices that indicates to the retrieval module a particular location of the indication of the data object that is to be retrieved by retrieval module(fig. 9).

6. Claims 13, 17, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyama et al. (U.S. Patent No. 6,301,592), and in view of Microsoft Excel 2000 help, and further in view of Kikinis et al (Patent No. 6,553,410).

As per claims 13, 17, and 22 Aoyama and Microsoft teach the claimed invention, but fails to teach wherein storing one or more version of a data store containing a plurality of data objects comprises storing one or more version of a data store containing a plurality of electronic mail messages.

Kikinis teaches storing an E-mail in different version such as text copy, or HTML format for WEB mail (fig. 6).

Therefore, it would have been obvious to one of ordinary skilled in the art to modify the work of Aoyama and Microsoft because Kikinis teaches storing E-mail (document) in different version such as text copy, or HTML format in order to be able to use the document in different capacities.

7. Claims 14, 18, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyama et al. (U.S. Patent No. 6,301,592), and in view of Microsoft Excel 2000 help, and further in view of Carpenter et al. (5,544,345).

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As per claims 14, 18, and 23, Aoyama, and Microsoft teach the claimed invention, but fails to teach wherein storing one or more versions of a data store comprises storing different version of the data store on different subsets of a storage media to provide a separate location for each version during the time that it is stored.

Carpenter teaches plurality of storage system with different subsets (fig. 1), wherein copies or new versions of the data will be store in any combination of SES-cache storage or local cache storage (col. 18, lines 62-64).

Therefore, it would have been obvious to one of ordinary skilled in the art to modify the work of Aoyama and Microsoft because Carpenter teaches plurality of storage system with different subsets, wherein copies or new versions of the data in any combination of SES-cache storage or local cache storage in order to avoid slow accessing the storage system.

8. Claims 15, 19, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyama et al., Microsoft Excel 2000 help, and in view of Carpenter et al. (5,544,345), and further in view of Honarvar et al. (U.S. Patent 6,546,545).

As per claims 15, 19, and 24 Aoyama and Microsoft Excel, and Carpenter teach the claimed invention, but fails to teach migrating a version of the data store from a first subset of a storage media to a second subset of a storage media according to a storage criteria selected from one of the group consisting of a duration of time the version of the data store has been stored, a type of data

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contained in the version of the data store, and the identity of a user associated with the data store.

Honarvar teaches a versioning in a rules based decision management system, wherein archiving (migrating) data version is depend on how the data version is going to be used as production, simulation, both or neither (col. 17, lines 24-27).

Therefore, it would have been obvious to one having ordinary skill in the art to modify the work of Aoyama and Microsoft Excel, and Carpenter, because Honarvar teaches a versioning in a rules based decision management system, wherein archiving (migrating) data version is depend on how the data version is going to be used as production, simulation, both or neither in order to receive specific type of data based on the need of user.

Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehdi Namazi whose telephone number is 703-306-2758. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 703-306-2903. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mano Padmanabhan
12/11/04

Mehdi Namazi
Examiner
Art Unit 2188

March 18, 2004

MANO PADMANABHAN
SUPERVISORY PATENT EXAMINER